

REMARKS

This application has been reviewed in light of the Office Action dated October 6, 2008. Claims 4-7 are presented for examination, of which Claims 4 and 5 are in independent form. Claims 1-3 has been canceled without prejudice or disclaimer of the subject matter presented therein. Claim 7 has been amended to define Applicants' invention still more clearly. Favorable reconsideration is requested.

The Office Action objected to Claim 7 for informalities. Applicants have carefully reviewed and amended Claim 7 with special attention to the points raised on page 3 of the Office Action. It is believed that the objection has been obviated, and its withdrawal is therefore respectfully requested.

The Office Action rejected Claims 4-7 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

On page 3, the Office Action states the following rationale for the written description rejection:

Upon a review of the disclosure as originally filed, the Examiner is unable to find adequate support for, inter alia, the following limitations: “requesting, by a merchant, that the provider return a secondary transaction number (STN) in lieu of returning the account number” (claim 4, lines 6-7); and “receiving, from the merchant, a request that a provider of the primary account return the STN in lieu of returning the primary account number” (claim 5, lines 8-9); and “retrieving transaction information from a database using the primary account number” (claim 5, lines 16-17).

Applicants respectfully disagree. “To satisfy the written description requirement, an applicant must convey with reasonable clarity to those skilled in the art that, as of the filing date sought, he or she was in possession of the invention, and that the invention, in that context, is whatever is now claimed,” MPEP § 2163.02 (emphasis added). Read with this standard in

mind, Applicants respectfully submit that clear written description support for the features of Claim 1 may be found in the specification as originally filed. Particularly, support for the above quoted recitations may be found in, for example, paragraphs 91 and 94 of the specification as originally filed.

Accordingly, it is believed that the rejection under Section 112, first paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

The Office Action rejected Claims 1, 2, and 4-6 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,826,241 (*Stein*); and rejected Claims 3 and 7 under 35 U.S.C. § 103(a) as being unpatenable over *Stein* in view of U.S. Patent No. 6,636,833 (*Flitcraft*). Cancellation of Claims 1-3 renders their rejection moot. Applicants respectfully traverse the rejections with regard to Claims 4-7 and submit that independent Claims 4 and 5, together with the claims dependent therefrom, are patentably distinct from the cited art for at least the following reasons.

As best understood by Applicants, *Stein* provides a “. . . payment system for enabling a first Internet user to make a payment to a second Internet user, typically for the purchase of an information product deliverable over the Internet.” *See Stein*, Col. 2, lines 6-10. “Security is maintained by isolating financial and credit information of users’ cardholder account from the front end portion of the payment system and by isolating the account identifying information” *See Stein*, Col. 2, lines 24-27. While *Stein* may isolate account identifying information, nothing has been found in *Stein* to teach or reasonably suggest “requesting, by a merchant, that the provider return a secondary transaction number (STN) in lieu of returning the account number,” as recited by Claim 4.

Accordingly, the rejection under 35 U.S.C § 102(b) is believed obviated, and its withdrawal is respectfully requested.

Independent Claim 5 includes a requesting feature similar to that discussed above with respect to Claim 4. Therefore, that claim is also believed to be patentable for at least the same reasons as discussed above with respect to Claim 4.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim also is deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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